THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19990 of 2006

ORAL ORDER:

Earlier, when W.P.No.18264 of 2006 was filed seeking Mandamus declaring the action of the third respondent-District Collector/Election Authority, Chittoor in issuing proceedings Rc.No.46/2002-B dated 31.7.2006 purported to have been issued under Rule 22 of A.P. Cooperative Societies Rules, 1964 proposing to conduct elections to the managing committee of second respondent-Tirupati Cooperative Bank Ltd., and also for other consequential reliefs, this Court disposed of the said writ petition by order dated 11.9.2006 setting aside the impugned order therein and directed the person-in-charge to hold general body meeting for appointment of an officer for the purpose of conducting elections to the managing committee of the society as per law, within a period of four weeks from the date of receipt of that order. In pursuance of the said order, the official committee had called for a general body meeting on 30.9.2006. While that being so, the Government issued G.O.Rt.No.969 dated 21.9.2006. Aggrieved by the same, the present writ petition is filed.

It is the grievance of the petitioner that if the official committee which was appointed earlier and which is going through the process of calling for general body meeting on 30.9.2006 for the purpose of appointment of Election Officer is not permitted, the whole process would render infructuous.

This Court by order dated 25.9.2006 in W.P.M.P.No.25234 of 2006 granted interim direction to the respondents to permit the official committee which was appointed on 21.8.2006 to conduct general body meeting on 30.9.2006 for the purpose of appointing an election officer. However, it seems on 30.9.2006 though general body meeting was

conducted, since there was no quorum, the election officer was not appointed.

Be that as it may, even under the impugned G.O., a person-in-charge committee has been appointed for a period of six months or till elections are completed whichever is earlier. This indicates that the Government is intending that the elections should be conducted for the managing committee of the third respondent society.

In view of the above, the person-in-charge committee of third respondent society appointed through G.O.Ms.No.969 dated 21.8.2006 shall make all efforts to call for a general body meeting of the society for the purpose of appointment of Election Officer for conducting elections to the society. If for any reason, after calling for such general body meeting, the quorum is not fulfilled, the second respondent-Registrar of Cooperative Societies shall take up proceedings as required under Section 32(5)(a) of the A.P. Cooperative Societies Act, 1964 and complete the process of conducting elections to the third respondent society. This process shall commence within a period of two months from today.

The writ petition is accordingly disposed of. No order as to costs.

_____

C.V.RAMULU,
J

Date: 26.10.2006

Note:
Issue C.C. in one week.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19990 of 2006

26.10.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19990 of 2006

Date: 26th October, 2006

Between:

k.Madu Lakshmi .. Petitioner

And

The Government of Andhra Pradesh,
rep. by its Commissioner & Registrar of
Cooperative Societies, Andhra Pradesh,
Hyderabad & others.

.. Respondents